

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

ROBIN LATNEY

PLAINTIFF

V.

CIVIL ACTION NO. 4:08CV108 DPJ-JCS

TODD KEMP, ET AL.

DEFENDANTS

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge, after referral of hearing by this Court. An omnibus hearing was held on December 2, 2009 on this § 1983 action. Plaintiff did not appear, and accordingly, Magistrate Judge James C. Sumner recommended dismissal of the action without prejudice for failure to prosecute on December 2, 2009. Plaintiff was given fourteen (14) days to file written objections to the Report and Recommendation. Plaintiff did not file an objection, and the time to do so has now passed. The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge James C. Sumner be, and the same is hereby, adopted as the finding of this Court, and the same entire action should be dismissed without prejudice.

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED AND ADJUDGED this the 7th day of January, 2010.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE